

2021 Policy & Legislative Priorities of the Minnesota Juvenile Justice Advisory Committee (JJAC)

What's Needed?	What Can be Done?	Why?
Meaningfully impact the deep and pervasive ethnic, racial and gender disparities in Minnesota's juvenile justice system	<p>Pursue policy and practice changes that will require:</p> <ul style="list-style-type: none"> • Data transparency: stakeholders will be mandated to report data on a regular basis <ul style="list-style-type: none"> ▪ Include reports to allow real time tracking of numbers and demographics of youth in detention facilities and correctional out-of-home placements • Development of a statewide data hub that provides consistent definitions and data points for all reported data so that data can be gathered and compared in a meaningful way • Prosecutors' offices to report on: cases charged, diverted, declined, designated EJJ, motioned EJJ, motioned adult certification, and certified to adult court; based on race, gender, age, and offense • Action from juvenile justice stakeholders on racial and ethnic disparities • Initiation of "courageous conversations" with agencies engaging in and/or promoting harmful practices and policies 	<p>Meaningful, fundamental systems change must be governed and measured by reliable and current data. Minnesota has no statewide data system that gathers data consistently, using the same definitions, data points and measures. Thus, a statewide juvenile justice data hub is necessary in order to implement changes and measure the impact of these changes.</p>
Keep youth out of the juvenile justice system who do not need to be there	<p>Pursue policy and practice changes that will:</p> <ul style="list-style-type: none"> • Support community-led problem solving (ie community restorative practices/restorative justice) • Explore alternatives to juvenile justice system referral for youth age 10 -12, including creating a pilot program that would significantly reduce or eliminate referrals to the juvenile justice system for youth under the age of 13 • Bar admission to secure detention facilities for youth under the age of 13 except in extraordinary and rare cases • Identify and make available funding to support improved policies and practices 	<ul style="list-style-type: none"> • For most youth under the age of 13, the juvenile justice system is not an appropriate or necessary response to offending behavior yet there is no other system that is currently required to respond to, or provide services for, these youth. • Minnesota needs a clear response set forth by law that handles children 10-12 as those in need of services. Additionally, a funding stream should be established to ensure that the needs of these children are met and the behaviors are addressed in order to reduce further involvement in the juvenile justice system.

<p>Reduce harm and improve outcomes for youth in the juvenile justice system</p>	<p>Pursue policy and practice changes that:</p> <ul style="list-style-type: none"> • Reduce youth incarceration <ul style="list-style-type: none"> ○ Risk Assessment Instrument (RAI) used for all detention facilities holding youth across MN ○ COVID response for youth in correctional facilities (ensure compliance with health mandates, release for high risk youth) ○ Increase funding for community-based alternatives • Improve conditions for incarcerated youth <ul style="list-style-type: none"> ○ Licensing changes ○ Ending the use of solitary confinement • Modify Minnesota Department of Human Services (DHS) disqualifications for youth • End indiscriminate shackling of youth • Eliminate public hearings and public records for 16 and 17 year-olds charged with a felony • Modify (or eliminate) predatory offender registration for youth (end automatic, create presumption of no registration) • Eliminate Mandatory Juvenile Life Without Parole • Continue to promote the Crossover Youth/Dual Status Youth Model • Promote rehabilitation, positive youth development and overall community health • Make children’s mental health services mandatory in delinquency cases • Identify and make available funding to support improved policies and practices 	<p>One way in which we can begin to address the pervasive ethnic, racial and gender disparities in Minnesota’s juvenile justice system is to require the use of validated risk assessment tools across the state to govern admission decisions for all youth detention facility.</p> <p>To protect our youth during the COVID-19 pandemic, all facilities in which youth are placed must be required to follow all health mandates and, whenever possible, youth should be released to lesser-restrictive alternatives.</p> <p>To protect youth referred to the juvenile justice system and to promote a fair and balanced juvenile justice system, Minnesota’s statutes should be amended to</p> <ul style="list-style-type: none"> • Provide for greater privacy in proceedings involved youth age 16 and 17 charged with felonies (making juvenile hearings closed to the public unless there has been a designation as EJJ or a motion for certification) • Eliminate mandatory predatory offender registration in most, if not all, cases involving juveniles • Eliminate Juvenile Life Without Parole • Emerging mental health issues often involve acting out or aggressive behaviors. Mandatory Children’s Mental Health will assist with proper assessment and treatment to avoid youth getting pushed further into the juvenile justice system for intervention.
<p>Direct funding toward specific reform initiatives that will “change the narrative”</p>	<ul style="list-style-type: none"> • Consider pilot projects that explore new strategies 	<p>Prioritizing community-centered responses to youth misconduct will reduce rates of system involvement.</p> <p>Youth benefit holistically from culturally relevant, restorative and rehabilitative strategies, led with fidelity to traditional practices, teachings and values.</p>